

# BOARD OF LICENSE COMMISSIONERS

City Hall, 718 Main Street

Fitchburg MA 01420

(978) 345-9557

William A. Judge, Chairman

Robert A. Bourque

David F. Arsenault

## MINUTES OF MEETING

The regular meeting of the Board of License Commissioners was held on October 15, 2007 in the Veterans Memorial Room, City Hall, Fitchburg, and called to order by Chairman William Judge at 6:00 PM. Commissioners Robert Bourque and David Arsenault were present.

### **I. REVIEW AND ACCEPTANCE OF MINUTES FROM THE PREVIOUS MEETING.**

The minutes of the regular meeting held on October 1, 2007 were unanimously approved and signed.

### **II. NEW APPLICATIONS**

Fitchburg Lodge of Elks #847, 860 Ashby State Road for Change of Manager to Vincent G. Belair.

**Mr. Vincent Belair was present. Approved 3-0.**

NAB Management d/b/a Sazerac, 1123 South St. for Transfer of License, Change of Location and Change of Manager to Silhouette, LLC d/b/a Club Confidentials, 480 Water St., John E. Hoover, III, Manager.

**Attorney David McCool, Ms. Anne Northway and Mr. Jack Hoover were present.**

**Application approved and sent to a public hearing on November 7, 2007 3-0.**

The Club, Inc., 535 Water St., for Two (2) Videos and Two (2) Darts. (Vianna)

**Amended to Four (4) Videos. Approved as amended pending ABCC approval of transfer of license 3-0.**

The Club, Inc., 535 Water St. for Entertainment Permit: DJ's, Magicians, Bands, Comedians, Movies, Dancing, Arm Wrestling, Body Building Expos, Amateur Night Contest, Karaoke, Fashion Shows, Exotic Dancers, Strippers,

Two (2) Dart Boards, Four (4) Automatic Amusement Devices – Videos.

**Approved pending ABCC approval of transfer of license 3-0.**

Fat Jack's Cigar & Bar, 13 Cushing St. for Three (3) Videos, One (1) Juke Box, One (1) Pool Table. (Global Amusement)

**Approved 3-0.**

Fat Jack's Cigar & Bar, 13 Cushing St. for Entertainment Permit: Acoustic Guitar Soloist's and Solo Comedy Acts, Monday – Saturday.

**Mr. John Kelly was present and stated that the acoustic guitar entertainment will not include any amplifiers, electric guitars or bands.**

**Approved 3-0.**

### **III. HEARINGS**

A Dog House, Inc., d/b/a K.C.'s Pub, 1098 Main St. for Transfer of Annual, Restaurant, All Alcohol License to

Bottoms Up Bar, Inc., d/b/a K.C.'s Pub, 1098 Main St., Deborah P. Aukstikalnis, Manager.

**Hearing held. Deborah Aukstikalnis, Jim Aukstikalnis and Dante Suarez were present.**

**Approved 3-0.**

Fitchburg Royal Plaza Corp. d/b/a Best Western Royal Plaza, 150 Royal Plaza Drive, for Transfer of License to Sage Restaurant Manager, LLC and Change of Manager to James M. Wolfe, Jr.

**Hearing held. Attorney Philip Riley and Mr. James Wolfe were present.**

**Approved 3-0.**

Club Boston, Inc., d/b/a The Other Side, 535 Water St., for Transfer of Annual, Restaurant, All Alcohol License to The Club, Inc., Robert D. Kopelman, Manager.

**Hearing held. Mr. Frank Tramontozzi, Mr. Tom Tramontozzi and Mr. Robert Kopelman were present.**

**Approved 3-0.**

#### IV. CONTINUED HEARING

John Kelly, to discuss construction plans to operate license #0394 000088 at 13 Cushing St.

**Hearing resumed. Mr. John Kelly was present. He stated that construction is occurring and he plans to be open by November 10, 2007. Chairman William Judge stated for the record that if no significant progress is made towards opening the establishment by the time the license is reviewed for renewal for 2008, he will not vote in favor of renewal.**

**No Action 3-0.**

#### V. OTHER

Erika Kirby, Manager, Hooligans, 29 Blossom St. to explain the details of the game and tournament "Bar Pong".

**Ms. Kirby was present. She presented written rules of the game and suggested the Board view more information at barpong.com. She stated that the game is played at Hooligans on Fridays at 7PM.**

Michael Gallant, Fitchburg Building Commissioner, to discuss the City's requirements for construction permitting, occupancy permitting and zoning determination procedures as they pertain to licensed liquor establishments. *(Mr. Gallant will be present at approximately 7:30PM)*

**Mr. Gallant was present. He explained that in all cases of a liquor license transfer of ownership the applicant is required to submit a Letter of Intent to the Building Inspector. Along with the letter the applicant must submit a complete floor plan of the inside use of the proposed premises and a plot plan showing off street parking. If the proposed premise exceeds 35,000 cubic feet the letter must also be accompanied by architectural/engineering plans to ensure that the premises meets code requirements. Once the letter and attachments are reviewed by the Building Commissioner he will issue a Letter of Zoning Determination. He stated that a premise with an occupant load of 100 or greater requires a fire suppression system.**

**He suggested that the Board state to all applicants, "Please provide us with the Letter of Zoning Determination from the Building Commissioner that you received in response to your Letter of Intent for the proposed premises".**

- Taxi driver applications

**Approved for two years: Barbara McCloud, Michael Thibeault, Nicholas Grundy**

- Any other matter that may come before the Commission as time permits

The Clerk was instructed to:

1. Send a letter to Nu-Nu, Inc. stating that they must submit an application for a Change of Manager or they will be summonsed to the meeting to be held on November 7, 2007.
2. Send a letter to FSC – Mr. Robert A. Hynes, Assistant Dean for Student Support Services stating that the Commission has revised their regulations to include a requirement for TIPS (or comparable) certification of all managers of license liquor establishments.

3. Send a letter to the ABCC asking if the local Board may require submittal of a Letter of Zoning Determination prior to accepting ownership transfer applications.

**The meeting adjourned at 8:35 PM.**

Respectfully submitted,

Anna M. Farrell, Clerk  
Approved:

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William A. Judge

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David F. Arsenault